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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91177858
Party	Defendant Nordstrom, Inc.
Correspondence Address	WILLIAM O. FERRON, JR. SEED IP LAW GROUP PLLC 701 5TH AVE STE 5400 SEATTLE, WA 98104-7064 BillF.docketing@SeedIP.com
Submission	Answer
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Date	07/24/2007
Attachments	Answer(700043.80073).pdf (3 pages)(82520 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

ZANELLA LTD.,)	
)	Opposition No. 91177858
)	
Opposer,)	Serial No. 77025247
)	
v.)	
)	
NORDSTROM, INC.,)	
)	
Applicant.)	Attorney Docket No. 700043.80073
_____)	

APPLICANT’S ANSWER TO NOTICE OF OPPOSITION

Applicant Nordstrom, Inc. (“Applicant”), by and through its attorneys, hereby answers the Notice of Opposition filed by Zanella Ltd. (“Opposer”), as follows:

1. Applicant admits that the mark ZANELLA has been used for men’s and women’s apparel for a number of years. Applicant lacks sufficient information to enable it to form a belief as to the truth of the remaining allegations of Paragraph 1 of the Notice of Opposition, and on that basis denies them.

2. Applicant admits that what appear to be copies of the registrations cited in Paragraph 2 of the Notice of Opposition are attached to the Notice as Exhibits A through E, respectively, and that such exhibits speak for themselves. Applicant lacks sufficient information to enable it to form a belief as to the truth of the remaining allegations of Paragraph 2 of the Notice of Opposition, and on that basis denies them.

3. Applicant lacks sufficient information to enable it to form a belief as to the truth of the allegations of Paragraph 3 of the Notice of Opposition, and on that basis denies them, except those allegations consisting of legal contentions or legal argument to which no answer is required.

4. Applicant lacks sufficient information to enable it to form a belief as to the truth of the allegations of Paragraph 4 of the Notice of Opposition, and on that basis denies them.

5. Applicant admits the allegations of Paragraph 5 of the Notice of Opposition.
6. Applicant admits the allegations of Paragraph 6 of the Notice of Opposition.
7. Applicant admits that Applicant's mark is a word mark with no limitation as to script or style, and denies the remaining allegations of Paragraph 7 of the Notice of Opposition.
8. Applicant denies the allegations of Paragraph 8 of the Notice of Opposition.
9. Applicant denies the allegations of Paragraph 9 of the Notice of Opposition.

AFFIRMATIVE DEFENSES


1. Opposer's alleged mark ZANELLA is a surname and is entitled to a narrow scope of protection.
2. Relevant consumers of Opposer's and Applicant's goods are unlikely to confuse Applicant's ZELLA mark with Opposer's ZANELLA surname.
3. Opposer's alleged ZANELLA mark is in use by third parties for other consumer goods, as reflected in U.S. Registration No. 3,155,451 for ZANELLA, which was unsuccessfully opposed by Opposer.

PRAYER FOR RELIEF

WHEREFORE, Applicant requests judgment dismissing Opposer's Notice of Opposition and this proceeding in its entirety.

DATED this 24th day of July, 2007.

SEED IP Law Group PLLC



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Attorneys for Applicant
NORDSTROM, INC.

CERTIFICATE OF SERVICE

I, Annette Baca, hereby certify that the above **APPLICANT'S ANSWER TO NOTICE OF OPPOSITION** was served on Opposer's counsel by depositing same with the U.S. Postal Service, first-class postage prepaid, on July 24, 2007, addressed as follows:

Stuart E. Benson, Esq.
Michael H. Selter, Esq.
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Annette Baca